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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------|------------------|
| 10/679,162 | 10/03/2003 | Jung-Yi Tsai | 252011-1720 | 3946 |
| 47390 | 7590 | 02/25/2005 | | |
| THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339 | | | EXAMINER BAHTA, KIDEST | |
| | | | ART UNIT 2125 | PAPER NUMBER |

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/679,162 | TSAI ET AL. | |
| | Examiner | Art Unit | |
| | Kidest Bahta | 2125 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godfrey et al. (U. S. Patent 6,839,604) in view of Hu et al. (U. S. Patent 6,314,379).

Regarding claims 1, 6, 11, 16, 21, 26-27 and 32, Godfrey discloses a quality assurance for use between a service provider and a control center (Fig. 4), comprising the steps of: transferring of engineering data corresponding to the process to the control center via Internet (column 9, lines 34-62), and holding of the goods at the first process stage (element 361 operation 1 O1; column 9, lines 7-12) by the service provider (Fig. 4, element 364); comparison of the engineering data with a standard specification for confirming quality of the goods by the control center (column 10, lines 4-24); transferring of a confirmation message to the service provider via the Internet by the control center (column 9, lines 6-42) if the engineering data conforms to the standard specification (Fig. 3 - Fig. 5; column 9, lines 34-41, column 8, lines 49-60; column 7, lines 35-45; column 6, lines 5-15); and release of the goods for further operations by the service provider after the confirmation message is received (column 9, lines 7-12 and 34-42).

Godfrey fails to disclose performing of a process on goods at a first process stage by the service provider and the test processes are circuit probe tests.

Hu discloses performing of a process on goods at a first process stage by the service provider (Fig. 3) and the test processes are circuit probe tests (Fig. 2, element 115).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify the teachings of Godfrey with the teachings of Hu in order to provided a remote diagnostic system and a remote diagnostic method which enables the user to carry out with high reliability diagnostic using highly analytical data and further eases the economical burden on the developer of the diagnostic software.

Regarding claims 2, 7, 12, 17, 22 and 28, Godfrey discloses transferring of a fail message to the service provider by the control center if the engineering data does not conform to the standard specification (Fig. 3-5; column 9, lines 43-52).

Regarding claims 3, 8, 13, 18, 23 and 29, Godfrey discloses performing of a recovery measure on the goods by the service provider if the fail message is received (column 9, lines 43-46; column 10, lines 4-25).

Regarding claims 4, 9, 14, 19, 24 and 30, Godfrey discloses the engineering data comprises identity of the goods (column 8, lines 29-32), stage name of the first process stage (Fig. 4-5, element 361 and 365; i.e., operation 1, O1; operation 2, O2) and process information of the process at the first process stage (column 8, lines 49-60).

Regarding claims 5, 10, 15, 20, 25 and 31, Godfrey discloses the process information comprises a recipe used in the first process stage (column 5, lines 41-42).


Response to Amendment/Response to Arguments

Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
5. Any inquiry concerning communication or earlier communication from the examiner should be directed to Kidest Bahta, whose telephone number is (571) 272-3737. If attempts to reach the examiner by phone fail, the examiner's supervisor, Leo Picard, can be reached (517) 272-3749. Additionally, the fax phone for Art Unit 2125 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 305-9600.

Kidest Bahta



February 23, 2005